



HHS  
07-Let-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

KLIEWER et al Atty. Ref.: 510-125

Serial No.: 09/276,935 Group Art Unit: 1646

Filed: March 26, 1999 Examiner: Pak, M.

For: AN ORPHAN NUCLEAR RECEPTOR

\* \* \* \*

June 27, 2001

RESPONSE

Hon. Commissioner of Patents  
and Trademarks  
Washington, DC 20231

Sir:

This is in response to the Office Action dated March 27, 2001 in the above, the period for response having been extended up to June 27, 2001, by submission of the required petition and fee herewith.

In response to the Examiner's requirement for restriction, Applicants elect the subject matter of Group IV (claim 10) for prosecution in this application. The election is made with traverse and Applicants urge the Examiner to withdraw the requirement, at least as between Groups IV and V (claim 11). Given the nature of the screening methods of these two Groups, it is earnestly believed that a thorough search of the subject matter of

Group IV would encompass the subject matter of Group V (it is noted too that Groups IV and V are classed in Class 435). Thus no undue burden would be placed on the Examiner if Groups IV and V were to be considered together and the burden placed on Applicants by the 9 way restriction requirement would be lessened.

An early and favorable Action on the merits is awaited.

Respectfully submitted,

**NIXON & VANDERHYE, P.C.**

By Mary J. Wilson  
Mary J. Wilson  
Reg. No. 32,955

MJW:tat

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

KLIWER et al

Serial No. 09/276,935

Filed: March 26, 1999

Title: AN ORPHAN NUCLEAR RECEPTOR



Atty Dkt. 510-125

C# M#

Group Art Unit: 1646

Examiner: Pak, M.

Date: June 27, 2001

CJA: J1646  
RECEIVED  
JUN 29 2001  
TECH CENTER 1600, 2900  
RQD

Assistant Commissioner for Patents

Washington, DC 20231

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

**Fees are attached as calculated below:**

Total effective claims after amendment	<b>0</b>	minus highest number			
previously paid for	<b>20</b>	(at least 20) =	0	x \$ 18.00	\$ 0.00

Independent claims after amendment	<b>0</b>	minus highest number			
previously paid for	<b>3</b>	(at least 3) =	0	x \$ 80.00	\$ 0.00

If proper multiple dependent claims now added for first time, add \$270.00 (ignore improper)	\$ 0.00
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Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$390.00/2 months; \$890.00/3 months)	\$ 390.00
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Terminal disclaimer enclosed, add \$ 110.00	\$ 0.00
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<input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$710.00)	\$ 0.00
<input type="checkbox"/> Please enter the previously unentered , filed	
<input type="checkbox"/> Submission attached	

<b>Subtotal</b>	\$ 390.00
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If "small entity," then enter half (1/2) of subtotal and subtract	-\$ 0.00
<input type="checkbox"/> Applicant claims "small entity" status. <input type="checkbox"/> Statement filed herewith	

Rule 56 Information Disclosure Statement Filing Fee (\$180.00)	\$ 0.00
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Assignment Recording Fee (\$40.00)	\$ 0.00
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Other:	0.00
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<b>TOTAL FEE ENCLOSED</b>	\$ 390.00
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The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.  
By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: Mary J. Wilson